

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DATABASE PERFORMANCE MONITORING METHOD AND TOOL

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 (including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

	<u>Number</u>	<u>Country</u>	<u>Day/Month/ Year Filed</u>	<u>Priority Claimed</u>	<u>Certified Copy Attached</u>
1.					
2.					

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

	<u>Application Number</u>	<u>Filing Date</u>
1.		
2.		

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

	<u>Application Number</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
1.			
2.			

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and to file and prosecute any corresponding foreign applications, including any international applications under

the Patent Cooperation Treaty or the European Patent Convention: The practitioners at Sprint associated with the Customer Number provided below, in addition to the following attorneys at the law firm of Shook, Hardy & Bacon L.L.P., 1200 Main Street, Kansas City, MO 64105-2118: William B. Kircher, Reg. No. 22,481; James H. Marsh, Jr., Reg. No. 24,533; J. David Wharton, Reg. No. 25,717; Joseph B. Bowman, Reg. No. 25,807; Peter W. Gowdey, Reg. No. 25,872; Richard R. Johnson, Reg. No. 27,452; Walter R. Brookhart, Reg. No. 29,518; James H. Riley, II, Reg. No. 31,131; Joan Optican Herman, Reg. No. 31,968; Michael B. Hurd, Reg. No. 32,241; Richard D. Jordan, Reg. No. 33,519; Michael J. Gross, Reg. No. 35,528; William P. Jensen, Reg. No. 36,833; Chris Murphy, Reg. No. 39,786; Daniel W. Shinn, Reg. No. 40,810; B. Trent Webb, Reg. No. 40,865; Susan J. Wharton, Reg. No. 41,524; Scott B. Strohm, Reg. No. 42,172; Janine A. Carlan, Reg. No. 42,387; Clinton G. Newton, Reg. No. 42,930; John K. Hsu, Reg. No. 45,563; Ladi Shogbamimu, Reg. No. 46,291; Dennis Danella, Reg. No. 46,653; Tawni L. Wilhelm, Reg. No. 47,456; Daniel P. Devers, Reg. No. 47,523; Greg S. Donahue, Reg. No. 47,531; Justin Krieger, Reg. No. 47,719; Marshall Honeyman, Reg. No. 48,114; Bart A. Starr, Reg. No. 48,386; and Jean M. Guignon, Reg. No. 48,538.

Address all correspondence to:

Customer Number: 021396
Principal attorney or agent: Kevin D. Robb
Telephone number: 8140 Ward Parkway
Kansas City, MO 64114
Telephone: 913-624-5340
Fax: 913-624-6388

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature: _____

Dek J. Shee

12/6/2001
Date

Residence:

Olathe, Kansas

Citizenship:

U.S.A.

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Olathe, KS 66062

FORM PTO-1595		RECORDATION FORM COVER SHEET PATENTS ONLY		U.S. DEPT. OF COMMERCE PATENT AND TRADEMARK OFFICE	
To The Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies): DEK J. SHEE Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies): Name: SPRINT COMMUNICATIONS COMPANY L.P. Street Address: 8140 Ward Parkway City: Kansas City State: Missouri Zip: 64114 Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment Execution Date: December 6, 2001		COPY			
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: <u>December 6, 2001</u> A. Patent Application No.(s): B. Patent No.(s): Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed: Name: KEVIN D. ROBB Internal Address: SPRINT LAW DEPARTMENT Street Address: 8140 Ward Parkway City: Kansas City State: Missouri Zip: 64114		6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41) \$40 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit Account No.: 21-0765 (Attach duplicate copy of this page if paying by deposit account)			
DO NOT USE THIS SPACE					
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> SCOTT B. STROHM Signature: <i>Scott Strohm</i> Date: <i>12/11/01</i>					
Total number of pages including cover sheet, attachments, and document: 3					

Mail documents to be recorded with required cover sheet information to:
Box Assignments, Under Secretary of Commerce for Intellectual Property
and Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

ASSIGNMENT AND AGREEMENT IN AN APPLICATION FOR LETTERS PATENT OF THE UNITED STATES OF AMERICA

I hereby declare that I am the original, first and sole inventor of the invention relating to DATABASE PERFORMANCE MONITORING METHOD AND TOOL, described in an application for Letters Patent of the United States of America executed by me on even date with my execution of this Assignment.

For valuable consideration received, I hereby sell, assign and transfer to Sprint Communications Company L.P., a corporation duly organized and existing under the laws of the State of Delaware, United States of America, its successors and assigns, my entire right, title and interest, for all countries in and to said inventions and all the rights and privileges under any and all Letters Patent that may be granted therefore, and any divisions, continuations, reissues and extensions thereof.

I agree that, when requested, I will, without charge to said corporation but at its expense, sign all papers, take all rightful oaths, make all rightful declarations and do all acts which may be necessary, desirable or convenient for securing and maintaining patents or other forms of protection for said inventions in any and all countries and for vesting title thereto in said corporation, its successors, assigns or nominees.

I agree that I will communicate to said corporation or its representatives any facts known to me respecting said inventions and when requested by said corporation and at its expense will testify in any legal proceedings, and generally do everything possible to aid said corporation, its successors, assigns and legal representatives or nominees, to obtain or enforce proper protection for said inventions in any and all countries.

I authorize and empower said corporation, its successors, assigns or nominees, to make application for patent or other form of protection for said inventions in its or their own name, or in my/our name, in any and all countries to invoke and claim for any application for patent or other form of protection for said inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from me.

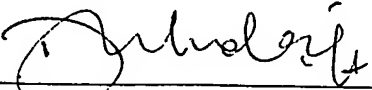

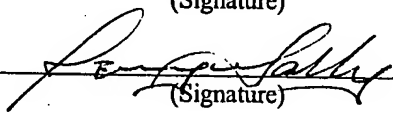
I hereby consent that a copy of this Assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said corporation or its successors, assigns or nominees to apply for patent or other proper protection for said inventions, and to claim the aforesaid benefits of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

I covenant with Sprint Communications Company L.P., its successors, assigns, legal representatives, and nominees, that to the best of my knowledge the right, title and interest herein conveyed by me are free and clear of any encumbrance, and that I have the full right to convey the same as herein expressed.

This Agreement and Assignment supersedes all other assignments, agreements and addendums related to the above identified application.

After this Assignment has been recorded, please return it to :

Attn: Harley R. Ball
Sprint Law Department
8140 Ward Parkway
Mailstop: MOKCMP0506
Kansas City, Missouri 64114

Inventor's Signature:		12/6/2001
	DEK J. SHEE	Date
Residence:	Olathe, Kansas	
Citizenship:	U.S.A.	
Post Office address:	2114 Stratford Olathe, KS 66062	
1st Witness:	RICHARD CARNER	
	(Type or Print Name)	(Signature)
2nd Witness:	JERRY W. TALLY	
	(Type or Print Name)	(Signature)